

3:53 pm, Mar 17 2023

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY BCU Deputy**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND****UNITED STATES OF AMERICA****V.****MICHAEL ANDERSON**Case No. 23-mj-0996-TJS**AFFIDAVIT IN SUPPORT OF COMPLAINT**

I, Francisco Rego, Special Agent with the Federal Bureau of Investigation ("FBI"), being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. This affidavit is made in support of a complaint for Michael ANDERSON, charging him with violations of 18 U.S.C. § 922(g)(1) (possession of a firearm by a previously convicted person), 18 U.S.C. § 922(o) (possession of a machinegun), 21 U.S.C. § 841(a)(1) (possession with the intent to distribute marijuana), and 18 U.S.C. § 924(c) (possession of a firearm in furtherance of a drug-trafficking crime).

2. I submit, based on the information included below, that there is probable cause to believe that Anderson has committed the aforementioned offenses. I have not included all of the information known to investigators in this affidavit, but have included information I believe to be necessary for a determination of probable cause for the charged offenses.

AFFIANT BACKGROUND

3. I have been a Special Agent with the FBI since July 2017. Since May 2018, I have been assigned to the FBI's Safe Streets Task Force in Baltimore, which investigates violations of federal drug and firearms statutes. I have been responsible for investigations into various unlawful activities, including drug trafficking, firearms offenses, gang activity, and violent crime occurring in the District of Maryland. I have authored, executed, and/or participated in search and seizure

warrants based on criminal activity including drug trafficking, firearms offenses, and racketeering conspiracy. I have arrested and/or participated in the arrest of over 20 people for violations of state and federal drug and firearms statutes. I have also received specialized training in the area of illegal narcotics.

PROBABLE CAUSE

4. On March 17, 2023, state and federal law enforcement executed a federal search warrant at a residence in Laurel, Prince George's County, Maryland. Investigation had identified the location as a residence maintained by Michael Anderson.¹ During the search, law enforcement found the following items:

- One Glock 19, 9mm handgun with a "Switch"² with one cartridge in the chamber and an extended magazine that contained 26 cartridges (collected in the master bedroom closet; top right shelf).
- One Drum handgun magazine that contained 66 cartridges (collected in master bedroom closet; shoebox in closet).
- Suspected Marijuana that had an approximate weight of 3.23lbs (1469.4 grams) (collected in master bedroom closet; on floor).
- Suspected THC Edibles that had an approximate weight of 2.30lbs (1,044 grams); one scale; and one luggage bag (collected in master bedroom closet; top right shelf).

¹ Evidence of Anderson's residence at the Laurel location included that he was listed as the tenant for the location on documents obtained by subpoena for the location. Anderson has associated himself with another location, in Brooklyn, Maryland, including in MVA and in subscription information for his phone, but the tenant information, surveillance at the location ultimately searched, and telephone locational information indicates ANDERSON's residence was actually at the Laurel location where the evidence at issue herein was found.

² A firearm "switch" in this context is a small device, inserted into the rear of a firearm, that allows a conventional semi-automatic Glock pistol to function as a fully automatic firearm.

- A large amount of United States currency (still being counted at this time).
- Jewelry (with two appraisal notes) with an approximate value of more than \$50,000.00 (Master Bathroom)

5. FBI Baltimore Washington Field Office SWAT personnel notified an FBI agent on scene during the handover from the entry team to the search team, that during the initial sweep of the residence, Anderson was asked if there was anything in the residence that would be a danger to law enforcement or public safety. Anderson responded that there was a firearm located in the master bedroom closet on the top shelf to the right. Anderson had not been given *Miranda* rights at that time, but the question was asked in the specific context of a public safety query.

6. Based on preliminary information and initial observation of the weapon from law enforcement officers,³ the aforementioned firearm appears to be capable of or readily convertible to expel a projectile by the action of an explosive and satisfies the definition of a “firearm” under 18 U.S.C. § 921. Because of the “switch” installed in the firearm, it appears that the firearm would function to shoot automatically more than one shot without manual reloading by a single function of the trigger and therefore is a “machinegun” for purposes of 18 U.S.C. §§ 922(o) and 921(24) (which incorporates the definition of “machinegun” found at 26 U.S.C. § 5845(b)). The switch also appears to be a conversion device designed and intended solely and exclusively for use in converting a weapon into a machinegun. I am aware from my training and experience that firearms of this make are manufactured outside Maryland and would have travelled in interstate commerce prior to being recovered in this State. Prior to March 17, 2023, the defendant had been convicted of a Maryland state offense punishable by more than one year imprisonment as defined by federal

³ The weapon has not yet been, but will be submitted for examination by firearms examiners.

law; specifically, the defendant was convicted in Maryland in 2017 of wear/carry a handgun on person.⁴

7. The quantity of marijuana recovered during the search warrant was consistent with a distribution quantity of marijuana. Other evidence of an intent to distribute included the firearms, the cash, and the scale. Your affiant knows from training and experience that drug-dealers often keep and maintain firearms in furtherance of their drug-trafficking activities, to protect their drug supply and money generated from drug-trafficking. The storage of a firearm in the same approximate location as controlled substances is consistent with such usage.

CONCLUSION

8. Based on the foregoing, I believe that there is probable cause that Michael ANDERSON has committed the aforementioned federal offenses, in violation of 18 U.S.C. §§ 922(g)(1), 922(o), 924(c), and 21 U.S.C. § 841(a)(1).

Respectfully submitted,

Francisco Manuel
Rego

Digitally signed by Francisco
Manuel Rego
Date: 2023.03.17 14:53:58 -04'00'

Special Agent Francisco Rego
Federal Bureau of Investigation

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) this 17th day of March 2023.



Hon. Timothy J. Sullivan
United States Magistrate Judge

⁴ Your affiant's understanding of the criminal record is based on information from NCIC and from Maryland Judiciary case search. Your affiant's understanding is that the prior Maryland offense is classified as a misdemeanor under state law, but is punishable by more than two years imprisonment and therefore is still a prohibiting conviction under federal law. 18 U.S.C. § 921(20).